

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address:

Richard Maus
200 East Williams Road
Gallatin Gateway, MT

C/O David Baldwin
303 Clarke, St
Helena, MT 59601

2. Type of action: Application for a beneficial water use permit # 30029944-41H
3. Water source name: Groundwater
4. Location affected by project: NESENE, Sec. 29, T1N, R4E, Gallatin, Co.

Narrative summary of the proposed project, purpose, action to be taken, and benefits:

This application is for two (2) wells located in the NESENE, Sec. 29, T1N, R4E, Gallatin, Co. They are completed in alluvial gravels that can produce up to 540 gpm per well for multiple domestic use to supply 91 homes and 12.8 acres of lawn and garden in an county approved subdivision known as Country's Edge. A 0.22 acre-foot storage unit is identified as part of the works. Withdraw from the aquifer has been addressed by a mitigation plan involving a change application # 30029946-41H, to be accompanied with this application.

The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met

5. Agencies consulted during preparation of the Environmental Assessment:
Montana Natural Heritage Program, Montana Dept. of Fish, Wildlife & Parks, Montana Dept. of Environmental Quality, Gallatin County Planning Office, State Historic Preservation Office.

Part II. Environmental Review

1. **Environmental Impact Checklist:**

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: The project location is near the West Gallatin River. There is an FWP Water Reservation in place for the nearby river. This project is filed in conjunction with a change application mitigating loss from the proposed multiple domestic use wells. The requested volume amount is 53.0 acre-feet

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: This application is for groundwater and not associated with DEQ's impaired or threatened list. The applicant will have to file and test the wells as a public water source. The proposed project would not affect water quality in perennial streams. The water to be diverted is from groundwater wells.

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

Determination: The applicant has conducted an aquifer test and a mitigation plan. The information has been sent to the department hydrogeologist for review of adequacy and effectiveness of the mitigation plan (associated change application # 30029946-41H)

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

Determination: The project would not affect streams or riparian areas. Two wells were drilled for the proposed subdivision by a licensed well driller. They were drilled in accordance with the Montana Board of Water Well Contractors and the Administrative Rules of Montana and subject to DEQ requirements. The diversion is two wells 130' each drilled by a licensed water well driller. The proposed flow rate from each of the wells is 540 GPM from a 25 HP pump.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."

Determination: The Montana Natural Heritage Program was contacted, no significant impacts will occur due to this project.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: No wetlands have been identified in the location of this project.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: This project does not include ponds.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

Determination: Soils in this area have been identified as well-drained. No saline issues have been identified.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

Determination: The project consists of high density housing likely to consist of lawn grass and streets and probably sidewalks. Weeds will most likely be kept to a minimum.

AIR QUALITY - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

Determination: Air quality may initially be reduced by the construction process. By the end of the project no deterioration should be identifiable.

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.

Determination: SHPO has been contacted. They stated that any cultural properties that may have been in the area have already been impacted.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water and energy not already addressed.

Determination: With an increase in population, an increase in energy, water and environmental resources follow.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

Determination: Gallatin County has approved the subdivision.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

Determination: No impacts have been identified.

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

Determination: No impacts to human health have been identified.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No__**x**_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impacts identified.

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No impacts identified
- (b) Local and state tax base and tax revenues? No impacts identified
- (c) Existing land uses? No impacts identified
- (d) Quantity and distribution of employment? No impacts identified
- (e) Distribution and density of population and housing? No impacts identified
- (f) Demands for government services? No impacts identified
- (g) Industrial and commercial activity? No impacts identified
- (h) Utilities? No impacts identified
- (i) Transportation? No Impacts identified
- (j) Safety? No impacts identified
- (k) Other appropriate social and economic circumstances? No Impacts identified

2. ***Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts: Secondary impacts would include increased traffic and higher demands on infrastructure

Cumulative Impacts: Cumulative impacts would include population sprawl and the removal of agricultural land.

3. ***Describe any mitigation/stipulation measures:*** None identified at this time.

4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***

No action: Do not grant a water right, then no water right to protect.

PART III. Conclusion

1. ***Preferred Alternative:*** No preferred alternative exists at this time.

2 ***Comments and Responses:*** No comments or responses have been received at this time.

3. ***Finding:***

Yes___ No_**x**___ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: An EA is adequate for this project.

Name of person(s) responsible for preparation of EA:

Name: Porter Dassenko

Title: Water Resources Specialist

Date: 3/15/2007